

REMARKS

Applicants respectfully request reconsideration and allowance in view of the foregoing amendments and the following remarks. By this amendment, Group I claims 1-26, 44-71 and 74-82 are provisionally elected. Groups II claims 27-33 and Group II claims 34-43 and 72-73 have been provisionally unelected with traverse. Claims 20 and 27-34 have been amended to correct minor typographical errors and to better set forth the claimed inventions.

***Restriction Requirement and Election***

In the office action, the examiner required a restriction between Group I claims (1-26, 44-71 and 74-82), classified in class 381, subclass 106, Group II claims (27-33), classified in class 381, subclass 103, and Group III claims (34-43 and 72-73) classified in class 381, subclass 106.

Election and Traverse

Applicants provisionally elect the claims of Group I for prosecution in the present application and provisionally withdraw Group II and Group III claims. Applicants respectfully traverse the restriction requirement and request consideration of the claims as originally filed.

The Restriction Requirement Should Be Withdrawn

Regarding claims 34-43, it will be appreciated that, as recited, these claims are not limited to frequency control and consequently do not necessarily include the frequency control required of class 381, subclass 106 classifications. Independent claim 34 recites, *inter alia*, a filter responsive to filter parameters supplied in accordance with a first input, the first input being representative of a time between events. In one example of an embodiment associated with claims 34-43 a signal processor can vary or maintain filter response of a power estimator that produces a power estimate signal which may be used for amplitude adjustment. It will be apparent that the signal processor of this example is directed to the control of a power estimator that controls amplitude and thus has utility in a compander. Therefore, Applicant respectfully submits that the classification of claims 34-43 in class 381, subclass 106 unduly narrows the scope of the inventions described in the claims.

Regarding claims 27-33, these claims have been amended to replace the word “equalizer” with the term “signal processor” in the preamble. This replacement better reflects the scope and nature of the claimed inventions and is consistent with the elements of claims 27-33 and the Specification. Further, Applicants respectfully submit that claims 27-33 are not limited to the provision of an equalizer and that the classification of these claims is overly restrictive. Claim 27 provides a signal processor that, for example, mixes “a second input representative of a signal characteristic associated with the time between events,” with an equalization value in accordance with “a first input representative of a time between events.” It will be appreciated that the scope of claims 27-33 covers more than a simple equalizer. For example, in one embodiment consistent with claims 27-33, the signal processor provides, *inter alia*, the variation and maintenance of an equalizer response of a power estimator that can be used for amplitude adjustment. It will be appreciated that such amplitude adjustment is distinct from tone control frequency response applications such as equalizers. Therefore, Applicant respectfully submits that characterization of the inventions claimed in claims 27-33 as an equalizer understates the operational scope, capabilities and usefulness of the inventions claimed in claims 27-33.

Regarding classification of claims 72-73, Applicant respectfully submits that these claims are not limited to frequency control. It will be appreciated that the recited local and external power estimator signals and the first output can usefully be applied in a compander and the signals and outputs can be used to adjust signal amplitudes. Therefore, Applicant respectfully submits that characterization of the inventions claimed in claims 72-73 as including frequency control misstates the extent of operational capabilities and usefulness of these inventions.

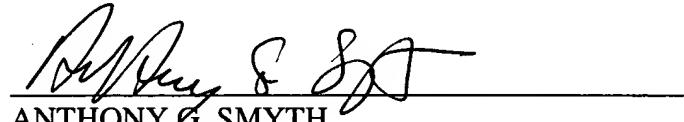
Applicant further submits that in certain embodiments, a compander according to the Group I claims may require the method and signal processors of Group II and Group III claims to provide a desired functionality. For example, a signal processor consistent with claims 72-73 (Group III) can provide power estimator signals used in companders and claim 8 (among other Group I claims) requires power estimator logic. Likewise, and as discussed above, Group II and Group III claims provide signal processors that can control operation of power estimators for use in a compander such as claimed in the Group I claims. Therefore, Applicant respectfully submits that the inventions of Groups I, II and III are not necessarily independent and distinct.

For at least the reasons stated above, Applicants respectfully traverse the restriction requirement and request consideration of claims 1-82 as amended in this response.

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Respectfully submitted,  
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